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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,  
Defendant.

2:16-cr-100-GMN-CWH

STIPULATION TO CONTINUE  
RESPONSE TO DEFENDANT'S  
MOTION TO WITHDRAW  
GUILTY PLEA (ECF No. 194)

IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE, Acting United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the United States of America, and Karen Connolly, counsel for defendant JAN ROUVEN FUECHTENER, that the Government's response to defendant's Motion to Withdraw Guilty Plea (ECF No. 194), in the above-captioned matter, which is currently set for July 6, 2017, be continued until July 28, 2017.

This Stipulation is entered into for the following reasons:

1. To intelligently respond to the defendant's Motion to Withdraw Guilty Plea, the undersigned requires a ruling on the Government's Motion For An Order Deeming The Attorney Client Privilege Waived (ECF No. 200).

- 1 2. Although the Government sought expedited treatment of the waiver motion to  
2 be able to respond to withdrawal motion in a timely manner, the Court declined  
3 to consider the waiver motion on an expedited basis.
- 4 3. The undersigned contacted defense counsel to determine whether the  
5 defendant's intends to object to the Government's waiver motion. Defense  
6 counsel replied that she does not intend to object to the Government's limited  
7 request, and that she "will file a reply by the 12 th as ordered."
- 8 4. To allow the Defendant an opportunity to respond to the Government's waiver  
9 motion, give the Court time to adjudicate the motion, and give the Government  
10 time to intelligently respond to the defendant's Motion to Withdraw Guilty Plea  
11 (ECF No. 194), the parties have discussed the continuance and agree to stipulate  
12 to an extension of the withdrawal motion response deadline.
- 13 5. The defendant is incarcerated, and but not object to the continuance.
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1 6. Denial of this request for continuance could result in a miscarriage of justice.

2 7. The additional time requested herein is not sought for purposes of delay, but to  
3 allow for adequate and efficient response time to the defendant's Motion to  
4 Withdraw Guilty Plea (ECF No. 194).

5 8. This is the first request for a continuance of deadline for the Government to  
6 respond to the defendant's Motion to Withdraw Guilty Plea (ECF No. 194).

7 DATED this 5th day of July, 2017.

8  
9 STEVEN W. MYHRE  
Acting United States Attorney

10 //s//  
11 ELHAM ROOHANI  
Assistant United States Attorney

12 //s//  
13 KAREN CONNOLLY, ESQ.  
14 Counsel for Defendant Fuechtener  
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1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

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4                   UNITED STATES OF AMERICA,

2:16-cr-100-GMN-CWH

5                                   Plaintiff,

ORDER

6                                   vs.

7                   JAN ROUVEN FUECHTENER,  
                                  Defendant.

8                                   **FINDINGS OF FACT**

9                   Based on the pending Stipulation of counsel, and good cause appearing  
10 therefore, the Court hereby finds that:

- 11           1.     To intelligently respond to the defendant's Motion to Withdraw Guilty Plea, the  
12                   undersigned requires a ruling on the Government's Motion For An Order  
13                   Deeming The Attorney Client Privilege Waived (ECF No. 200).  
14           2.     Although the Government sought expedited treatment of the waiver motion to  
15                   be able to respond to withdrawal motion in a timely manner, the Court declined  
16                   to consider the waiver motion on an expedited basis.  
17           3.     The undersigned contacted defense counsel to determine whether the  
18                   defendant's intends to object to the Government's waiver motion. Defense  
19                   counsel replied that she does not intend to object to the Government's limited  
20                   request, and that she "will file a reply by the 12 th as ordered."  
21           4.     To allow the Defendant an opportunity to respond to the Government's waiver  
22                   motion, give the Court time to adjudicate the motion, and give the Government  
23                   time to intelligently respond to the defendant's Motion to Withdraw Guilty Plea  
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1 (ECF No. 194), the parties have discussed the continuance and agree to stipulate  
2 to an extension of the withdrawal motion response deadline.

3 5. The defendant is incarcerated, and but not object to the continuance.

4 6. Denial of this request for continuance could result in a miscarriage of justice.

5 7. The additional time requested herein is not sought for purposes of delay, but to  
6 allow for adequate and efficient response time to the defendant's Motion to  
7 Withdraw Guilty Plea (ECF No. 194).

8 8. This is the first request for a continuance of deadline for the Government to  
9 respond to the defendant's Motion to Withdraw Guilty Plea (ECF No. 194).

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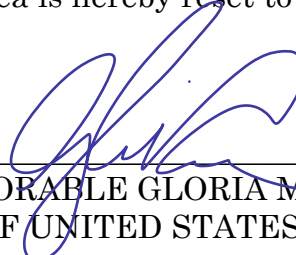
1 **CONCLUSIONS OF LAW**

2 Based on the fact that the parties have agreed to the continuance; based on the  
3 fact that the defendant does not object to the continuance; and based on the fact that  
4 denial of this request for continuance could result in a miscarriage of justice, the Court  
5 hereby concludes that:

6 The ends of justice are served by granting said continuance, since the failure to  
7 grant said continuance would be likely to result in a miscarriage of justice and would  
8 deny adequate response to the pending motion to dismiss, taking into account the  
9 exercise of due diligence.

10 **ORDER**

11 IT IS THEREFORE ORDERED that the deadline for the Government to respond  
12 to defendant's Motion to Withdraw Guilty Plea is hereby reset to July 28, 2017.

13  
14  July 10, 2017

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16 HONORABLE GLORIA M. NAVARRO  
17 CHIEF UNITED STATES DISTRICT JUDGE  
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